MEMO: For the lawyers. CONFIDENTIAL

DATE: March 14, 1992

FROM: Harrison E. Livingstone

SUBJECT: Robert Groden & Jim Marrs

ROBERT GRODEN

Robert Groden has an extensive history of numerous conversions of property of others, of misleading and false statements, extensive theft of intellectual property and discoveries, doubledeals, frame-ups, and fraudulent misrepresentation. The particulars follow in this paper. I view him now basically as a thief and a criminal. In my life I have never known anyone with character as bad as his. I suffered greatly because of him, and I believe now that he was trying to drive me to my death in 1989-90, when "our" book was issued. I had made the mistake of offering him control of the property in the event of my death, and he had control of my business affairs at the beginning of our publishing together. He had no undestanding of business or its rules or that of the IRS, and would never have paid a single debt, ruining my business.

HISTORY:

Groden somehow walked out of the photo labs of Life Magazine with a copy of the Zapruder film, which of course did not belong to him. Moses Weitzmann had charge of the film for Life. Groden publicised this film and made a lot of money from it, never paying the legal copyright owners. He claimed later to have "enhanced it" with a rotoscope method, which Tom Wilson, a computer expert in image processor in Pittsburgh, says is fraudulent. Many copies were run off and sold. Groden used this film as his entre as an expert in the Kennedy case and established himself as a self styled authority. I now believe that the film is forged and that Groden has been used to publicise the forgery. Why he did not notice or deal with the obvious problem with the film is the question.

THE AUTOPSY PHOTOS

Groden walked out of the House of Representatives in 1978--where he worked as a photographic consultant to the Select Committee on Assassinations--with a half dozen color photos of the body of President Kennedy. They may not have been in color, in fact, and may have later been colorized by him, possibly when he worked for Larry flint. He published some of them in color in

the Globe, a tabloid, at Christmas, 1991, and quite clearly parts of the pictures are in fact colorized. When confronted with this, he said that the Globe enhanced the red blood in the pictures. The Globe's denies this, as their managing editor (Dan Dolan) told me personally on March 2, 1992.

The Globe, under threat of law suit from Mark Crouch, published a correction on January 14, 1992, saying that "the dramatic photos in our December 31, 1991 issue that show the president's throat wound and doctors measuring the wounds in JFK's back are the property of Mark Crouch."

At the end of 1988 I went with Groden and his color pictures to my printer, the Sheridan Press, in Hanover, PA to take my book to press, and Groden left his color pictures there for publication in my book, which would have proved certain aspects of forgery. Unknown to me, he returned the next day and retrieved them and substituted Mark Crouch's black-and white photos, except for one, without the knowledge of either of us. I did not know about this substitution until almost two years later when I was being threatened from several quarters, and with law suits by Crouch, when he convinced me that the pictures had been switched. It was a bait and switch scam, of which there are other examples with Groden.

In 1979 Steve Parks of the Baltimore Sun paid my way to Dallas to show the pictures of the President's body to the medical witnesses there. I was the first person ever to do so. I was to have a team from the Sun assist me, but those who finally came (Parks and an assistant Attorney General of Maryland, Brook-----) only got as far as Houston and stayed there for two days, then returned. I was stranded in Dallas without funds but went ahead and conducted historic interviews with the doctors. I returned to find that I had lost my place to live, my car was sabotaged, and I ended up homeless and broke. I made desperate attempts to publish my research and Groden agreed to provide his pictures to prove what I was saying. This was a set up and he stranded me, which caused a serious public humiliation and frame-up by him and David Lifton which besmirched my reputation. Years of poverty and serious trouble followed. I resolved to stay close to Groden for a period of years, but did not suspect he was some sort of major saboteur until two years ago. In the winter of 1979 I received money from people at Harvard and embarked upon the first draft of HIGH TREASON.

During the time of the House Committee, a CIA man (Regis Blahut) was fired for allegedly tampering with the autopsy photographs. I have since talked to him and he says that he was set up, implying it was by Groden to cover for Groden's theft of the pictures. In 1979 Groden told me and Steve Parks of the Sun that Robert Blakey had leaked the pictures to him, and indeed the FBI report investigating our connection with the pictures

states that it was a leak to the media. But Blakey strongly denies that he or anyone leaked them, and most recently told me this on February 20, 1992. Groden has often maintained that after he obtained permission from Blakey to look at the pictures, with Jane Downey supposed to be present, he was left alone and his wife brought him a miniature spy camera in a brown lunch bag which he used to copy the pictures. The trouble with this is that some of them are identical to the Fox black and white's. At other times he has maintained that he was asked to make copies of them, and he told Jerry Hunt of the National Inquirer that while he was at it, he made a set for himself. (I have that statement documented.) On the Geraldo Rivera show in November of 1991, Geraldo laughingly told him that he had stolen all of this material, and Groden nodded in agreement, smiling. Proud of it. Both Parks and I recall that the pictures had stamped on the back of them "National Archives." It could have been a forged stamp, of course, knowing Groden, as it would enhance the resale value of his stolen goods. Even so, it took him 13 years or more to actually sell this material. David Lifton was also trying to sell them to the tabloids, and both of them tried to frame me for doing just that, when nothing could have been farther from the truth, as is evidenced by a public retraction by the newspaper carrying the story at the time. The retraction got lost in the shuffle.

Groden sells photographs which do not belong to him and made an agency agreement with both Gamma Liaison in New York and with Ron Laytner on the same day to sell the autopsy photographs. The photographs belonged to Mark Crouch (215-692-3131) and upon threat of law suit, Groden agreed to pay Mark Crouch for the use of the photographs. Since there was a partnership and book agency agreement with Laytner, Groden's behavior cost Livingstone--the real author of HIGH TREASON--numerous foreign deals. Livingstone has received no income from any of these deals and has not asked for same or been offered.

Groden made, while co-author with Livingstone, a separate deal with Oliver Stone, the film maker, and went to work for him. He misrepresented HIGH TREASON as his own work and represented Livingstone as the publisher. Livingstone was never contacted or consulted or paid by Oliver Stone. Numerous letters came in after the film was shown saying that the film had obviously utilized portions of Livingstone's book without credit.

Groden had a previous contract with Livingstone and a Hollywood documentary film maker, Al Fisher, to make an important documentary on the assassination of JFK. Fisher and Livingstone wrote the treatment, in which Fletcher Prouty is mentioned by name as to be used in a segment explaining the

origins of the conspiracy which murdered JFK. This later became "Mr. X" in the Stone film, and Prouty was publicly identified in numerous articles as "Mr. X".

There are other scenes such as the autopsy which had been planned for the documentary. In fact Stone used the same special effects people to create a body as had been named by Fisher. There are numerous clues showing that Groden had given the documentary film treatment to Stone.

Unknown to Livingstone, Groden began to represent the manuscript of HIGH TREASON to numerous sources as his own in 1988 before it was published. He evidently put a new title page on it without Livingstone's name. Mark Crouch states that Groden had whited Livingstone's name off the later published book jacket for a television tapping session in Crouch's offices in 1991. An article by Warren Patton published in 1988 states that Groden was trying to publish "his" book and that he might have to self publish it. It later became clear that Groden sold the manuscript to Jim Marrs for use in his book CROSSFIRE, and Groden actually sabotaged an effort to publish the book at Simon & Shuster, though HEL did not understand it at the time.

I made the mistake of teaming back up with him in the fall of 1988, and when I received credit to print HIGH TREASON, he moved in on me and I accepted him as co-author. When I look back on some of his actions just before that, I feel that he was sabotaging my attempt to print the book by various means, destabilizing me with various statements and interfering in the business affairs I was dealing with. After the book came out, he all but ruined my business.

An example of his double deals was that unknown to me he was taking thousands of dollars from David Lifton throughout our book publishing relationship, at a time when Lifton was trying literally to destroy me--writing letters to Harvard and many others, impugning my integrity however he could.

To be quite honest, and for the record, I have never known such people as a lot of those who are involved in the assassination research, and I feel that many of the big names are there to wreck honest people, or people trying to be honest. They give a little of the truth and along with it, a lot of false material and misrepresentation. It looks to me like a sophisticated misinformation project. It is also highly commercial, with various "critics" latching on for the ride and all it can bring them. Many will say or do anything to advance their business interest.

Groden had absolutely nothing to do with the concept,

writing, or publication of HIGH TREASON. He was asked to correct the book, as were others, and he made some editing marks on the ms. He asked for very short inserts of contributions of his own, which were largely made, some of which later turned out to be false and in error. Therefore, 99% of the book is Livingstone's as is well known by those who saw the original manuscripts as long as ten years before Groden was brought in.

In the winter of 1988-89, Livingstone was able to obtain credit from a printer (Sheridan) and suddenly went to press with the book, and Groden asked to be a co-author, which was agreed to for a portion of the royalties and Groden's agreement to handle business and publicity in exchange and payback for this opportunity. Unknown to Livingstone, Groden had embarked on a scheme to take over the property for himself and thereafter refused to keep proper records, refused to give a straight inventory count, refused to keep separate his bank deposits from those of Livingstone. In fact, his wife, a bank employee, later substituted a forged signature card on the company bank account, with her name on it. At that point, Livingstone, after many very serious and debilitating fights and deliberate provocations began to withdraw his business from the hands of Groden. This caused much trouble. Groden lied to the Post Office, where Livingstone had put in a change of address, and told the government that he owned Livingstone's company, which he had no part of, and Livingstone had to then prove that.

Livingstone had made an agreement with Berkley Publishing Group for the mass market reprint of HIGH TREASON and paid Groden part of the advance. Groden waited a year and a half and then at the moment of their publication, had a lawyer say that Livingstone had never paid him, had no right to make the agreement, and did not own the copyright. All of these statments were false and put his lawyer in a bad spot, and he later sued Groden. Groden also told Officer Richard Waybright that Livingstone had never paid a dime of royalties, which was a vast lie. Livingstone had a very tough time for two years because of police at his door due to false stories and slander. Berkley sent its lawyers to Livingstone's house on the spot and they spent two days in Baltimore. Livingstone had to immediately show proof of payment to Groden, and proved that Groden had received upwards of $100,000 that year from him. Meanwhile, Groden was being paid very large sums of money by Oliver Stone and from various deals none of which did he cut in Livingstone.

The end result of the crisis in the Fall of 1990 was that Groden signed his portion of the copyright Livingstone had voluntarily ceded to Groden to Livingstone and gave up nearly all further claim, except for half the royalties from the Berkley edition. There is no doubt but that he and Berkley conspired from the time of the original contract to push

Livingstone out of the way, and Livingstone suffered extensive mental trauma as a result of Berkley's treatment from Day One, and from all these other matters.

Groden had in fact given a power of attorney to Livingstone to make all contracts. He later accused Livingstone of forging the same. In view of countless false statments and accusations by Groden against countless people, this has to be taken into account. An analysis is being done of many statments he has made with regard to the evidence in JFK's death, and there are countless fabrications, exaggerations, falsifications, etc.

In an article published in the Daily Times, November 22, 1991, he falsely accused the godfather of his own son, Harold Weisberg, and called him a "charlatan," betraying a good friend for no other reason than self aggrandizement.

In the past week Dun & Bradstreet reported to me that someone has placed a $90,000 claim against my credit for an unpaid note or bill, in PA, and since Robert Groden had begun to show signs of doing business in my name or that of my company in 1990 when I wrested back my property, to my horror, I suspect that he has borrowed this in my name or bought television editing equipment. This would be a major criminal fraud. So far, D & B will not tell me who the creditor is. At the same time, Groden began receiving thousands of returned books, either by arrangement, or by inadvertence from Walden and Baker & Taylor, which belonged to me, and for which I am now billed many thousands of dollars. I have lost Walden as a distributor over this.

Groden's entire life pattern is one of dishonest and theft. His refrain always is that a newspaper "made a mistake in the editing process" or that he was misunderstood or that he did not say something everyone heard him say. He has "Let the truth be known" as his slogan, and yet he himself has no devotion to truth whatsoever. There are few crookeder people who ever lived.

Groden made an agreement with Berkley to both make sure that the real author of HIGH TREASON was known, and that he would not falsely malign Livingstone. In Philadelphia magazine for January, 1992, he is quoted as saying, "It will be cold day in hell before I ever again have any association with my old (HIGH TREASON) co-author, Harry Livingstone. What he has done (engineered a smear campaign against Groden) is unconscionable." This is one of the rare times that he has admitted having a co-author.

CROSSFIRE

Crossfire, by Jim Marrs, shows countless examples of plagiarism from High Treason, with line after line, paragraph after paragraph for pages at a time showing that it was a reworking of Livingstone's manuscript. An example is the section dealing with the House Committee, which Marrs could not have developed on his own. There are many things unique to Livingstone's book, which was the first modern synthesis of many developments in the case over the years. No-one had put the picture together as Livingstone had. No more than a month after High Treason was published, to my horror I saw Crossfire come off the press and it seemed to be my own book. The very first thing I opened the book to was a verbatim paragraph from my book. This was a terrible and stunning shock, which has tormented me ever since.

Marrs reliance on the book would be crystal clear in any court of law, especially where the language is essentially similar or identical. As Fox Television pointed out, there are verbatim plagiarisms, and the verbatim quotes on pp. 377-8 (copied from High Treason pp 7-8) saying "Groden told me that" and "Groden later wrote that" are fraudulently misrepresented by Marrs and are smoking guns showing he had the manuscript. Groden has admitted that he gave (or sold--Groden does nothing for free) the manuscript to Marrs before HIGH TREASON was published, shortly before Marrs published CROSSFIRE.

In quite a number of places in CROSSFIRE there is essentially similar or identical language, not just the alleged Groden quotes, which I wrote ten years prior to teaming up with him.

This book is "cooked."

In addition, plagiarism is a fraud and criminal act where the structure or outline of someone else's work is used for the framework of your own, which Marrs did throughout his book, covering several areas that were unique to me.

Furthermore, in several key areas of the book Marrs lifted massively from my sources in areas that he could not have been monitoring or known about or thought to cover in his book before reading my manuscript.

Marrs told me on May 14, 1991 that Groden gave him my manuscript in 1988 and told him it was "all right to use it". Groden has stated that he had done so, and that none of this could have happened after HIGH TREASON was published as he now claims.